



23 MAR 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

William Collard
COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, NY 11576

In re Application of
Georg PLETZER et al.
Application No.: 10/049,925
PCT No.: PCT/EP00/06660
International Filing Date: 13 July 2000
Priority Date: 21 August 1999
For: METHOD AND CONSTRUCTION
MACHINE FOR PRODUCING GROUND
SURFACES

NOTIFICATION

This application is before the PCT Legal Office for matters pertaining to 35 U.S.C. 371.

BACKGROUND

On 13 July 2000, applicants filed international application PCT/EP00/06660 claiming priority to an earlier application filed 21 August 1999. A copy of the international application was timely communicated to the United States Patent and Trademark Office by the International Bureau. A DEMAND for international preliminary examination, in which the United States was elected, was filed on 22 February 2001. Accordingly, the thirty month period for paying the basic national fee in the United States of America expired at midnight on 21 February 2002.

On 20 February 2002, applicants filed a Transmittal Letter (Form PTO-1390) for entry into the national stage in the United States under 35 U.S.C. 371, accompanied by, *inter alia*, the required basic national fee, a copy of the international application, and an English language translation of the international application.

On 29 May 2002, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) (Form PCT/DO/EO/905) indicating that an oath or declaration under 37 CFR 1.497(a) and (b) and the surcharge under 37 CFR 1.492(e) were required.

On 26 July 2002, applicants filed an executed declaration and the required surcharge.

On 25 November 2002, the DO/EO/US mailed a NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 AND 1.495 (Form PCT/DO/EO/903) indicating a date under 35 U.S.C. 371 of 26 July 2002.

DISCUSSION

A review of the application reveals that the translation of the international application is defective. Specifically, the applicants have not provided a translation of the entire international application as filed because Figure 4 contains non-English text (see reference numeral 34).

CONCLUSION

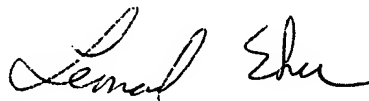
For the reasons stated above, the NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 AND 1.495 (Form PCT/DO/EO/903) mailed on 25 November 2002 is hereby VACATED.

Applicants are hereby afforded TWO (2) MONTHS from the mailing date of this Notification to submit a complete translation on the international application. Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Michael A. Neas
PCT Special Program Examiner
Office of PCT Legal Administration



Leonard Smith
PCT Legal Examiner
Office of PCT Legal Administration

Telephone: (703) 308-0954
Facsimile: (703) 308-6459